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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/784,659	02/23/2004	Dae-Sik Oh	2621	2345
28005	7590	06/27/2006	EXAMINER KIM, WESLEY LEO	
SPRINT 6391 SPRINT PARKWAY KSOPHT0101-Z2100 OVERLAND PARK, KS 66251-2100			ART UNIT 2617	PAPER NUMBER

DATE MAILED: 06/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/784,659	<b>Applicant(s)</b> OH, DAE-SIK	
	<b>Examiner</b> Wesley L. Kim	<b>Art Unit</b> 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 21 April 2006.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-6,9-18 and 21-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6,9-18 and 21-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/21/06 has been entered.

### ***Response to Amendment***

This Office Action is in response to Amendment filed on 4/21/06.

- Claims 1, 3, 6, 10-11, and 22 are currently amended.
- Claims 2, 4-5, 9, 12-18, and 21 are in their original form.
- Claims 7-8 and 19-20 are cancelled.
- Claims 23-24 are newly added.
- Claims 1-6, 9-18, and 21-24 are pending in the current Office Action.

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-6, 9-18, and 21-24 have been considered but are moot in view of the new ground(s) of rejection.

The applicant argues that Takahara is silent on activating an alert at the fixed wireless device if the registered location of the fixed wireless device does not match the current location of the fixed wireless device.

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). The examiner would like to note that the combination of the Williams, Elliot, and Graham references teach activating an alert at the fixed wireless device if the registered location of the fixed wireless device does not match the current location of the fixed wireless device and the Takahara reference teaches that a mobile phone is capable of performing the different types of alerts. To the examiner, the combination of references in the 35 USC § 103 rejections are successful in teaching all of the limitations of the recited claims.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1, 3, 10-13, and 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Williams et al (U.S. Patent 5475735) in view of Elliot (U.S. Pub. 2002/0164993 A1) and Graham (U.S. Pub. 2003/0060215 A1).

**Regarding Claims 1, 10-12, and 21-22**, Williams teaches the use of fixed wireless devices (Col.4;1-24, i.e. wireless fixed access units, WFAU) in a wireless local loop radiotelephone system, however Williams **is silent on**

comparing a registered location of a fixed wireless device to a current location of the fixed wireless device; responsively activating an alert at the fixed wireless device if the registered location of the fixed wireless device does not match the current location of the fixed wireless device and in response to the alert, changing the registered location to match the current location.

Elliot teaches locating a wireless device and comparing it with a predetermined (i.e. registered) location, to activate an alarm at the wireless device if the wireless device is not in the predetermined (i.e. registered) location (Par.29 and Par.31, if the location of the mobile phone is not within a boundary an alert signal may be sent to the wireless device). One of ordinary skill in the art could envision applying this general concept of locating a device and comparing the current location to a predetermined (i.e. registered) location and setting off an alarm if the device is not in the predetermined (i.e. registered) location to not only mobile wireless devices but fixed wireless devices.

Graham teaches that it is well known in the art that as a mobile station moves from one cell to another, the cellular phone system updates a record of the MS's current location (Par.4;4-6). One of ordinary skill in the art would find it obvious to update the location of a device, which has been moved from its registered location, whether it is a mobile or a fixed wireless device.

To one of ordinary skill in the art it would have been obvious to modify Willaims, such that there is a comparison of a registered location of a fixed wireless device to a current location of the fixed wireless device; and

responsively activating an alert if the registered location of the fixed wireless device does not match the current location of the fixed wireless device and changing the registered location to match the current location, to provide a method of appropriately routing communications to a devices' most current location after it has been moved from its original location.

**With further regards to Claims 10 and 21**, the fixed wireless device is a wireless local loop hub.

**With further regards to Claims 11 and 22**, Elliot teaches a data storage for storing a predetermined, i.e. registered, location of a fixed wireless device (Par.26-Par.29, the logic and database unit determines if a wireless device is in its predetermined location and if it isn't then it sends an alert to the wireless device); an alert mechanism at the fixed wireless device (Par.29).

**Regarding Claim 3**, the combination as discussed above teaches all the limitations as recited in claim 1, and Elliot further teaches performing the comparing function in a wireless carrier network (Par.26;1-3 and Par.29;1-10 and Fig.1;24, the comparing and activation is done by the logic and database unit located in the communications network) and performing the activating function at the fixed wireless device (Par.29 and Par.31, if the location of the mobile phone is not within a boundary an alert signal may be sent to the wireless device).

**Regarding Claim 13**, the combination as discussed above teaches all the limitations as recited in claim 12, and from Elliot who teaches that there is a logic and database unit (i.e. a computer) which determines if the wireless device is in

its predetermined location, it is obvious that there must be a processor to process machine language instructions.

2. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Williams et al (U.S. Patent 5475735), Elliot (U.S. Pub. 2002/0164993 A1), and Graham (U.S. Pub. 2003/0060215 A1) in further view of Dupont et al (U.S. Pub. 2005/0037729 A1).

**Regarding Claim 2**, Williams, Elliot, and Graham teach all the limitations as recited in claim 1, however the combination **is silent on** performing the comparing function and the activating function at the fixed wireless device.

Dupont teaches that a mobile device can obtain a predetermined path and compare it to the current path that the mobile phone is taking and if it is different from the expected then, an alert is sent to an alertee (Par.61). Elliot teaches locating a wireless device and comparing it with a predetermined (i.e. registered) location, to activate an alarm at the wireless device if the wireless device is not in the predetermined (i.e. registered) location (Par.29 and Par.31, if the location of the mobile phone is not within a boundary an alert signal may be sent to the wireless device).

To one of ordinary skill in the art it would have been obvious to modify Williams, Elliot, and Graham, such that the comparing function and the activating function is performed at the fixed wireless device, to provide a method of lessening the workload off of the network.

3. Claims 4-5, 9, 14-15, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Williams et al (U.S. Patent 5475735), Elliot (U.S. Pub.

2002/0164993 A1), and Graham (U.S. Pub. 2003/0060215 A1) in further view of Takahara et al (U.S. Patent 5450613).

**Regarding Claims 4 and 14-15**, Williams, Elliot, and Graham teach all the limitations as recited in claims 1 and 11, and Elliot further teaches that an alarm is activated if a device is not in a predetermined (i.e. registered) location however the combination **is silent on** the alert comprises a visual alert.

Takahara teaches that an alert comprises a visual alert (Abstract, i.e. lights).

To one of ordinary skill in the art, it would have been obvious to modify Williams, Elliot, and Graham, such that the alert comprises a visual alert, to provide a user with an opportunity to see that an alert is activated.

**With further regard to Claim 15**, it is well known in the art that a light emitting diode is used to provide a visual alert.

**Regarding Claims 5 and 17**, Williams, Elliot, and Graham teach all the limitations as recited in claims 1 and 11, and Elliot further teaches that an alarm is activated if a device is not in a predetermined (i.e. registered) location however the combination **is silent on** the alert comprises an audible alert.

Takahara teaches that an alert comprises an audible alert (Abstract, i.e. sound).

To one of ordinary skill in the art, it would have been obvious to modify Williams, Elliot, and Graham, such that the alert comprises an audible alert, to provide a user with an opportunity to hear an activation of an alert.



**Regarding Claim 9**, Williams, Elliot, and Graham teach all the limitations as recited in claim 1, and Elliot teaches that an alarm is activated if a device in not in a predetermined (i.e. registered) location however the combination **is silent on** the alert comprises an vibratory alert.

Takahara teaches that an alert comprises a vibratory alert (Abstract, i.e. vibrations).

To one of ordinary skill in the art, it would have been obvious to modify Williams, Elliot, and Graham, such that the alert comprises a vibratory alert, to provide a user with an opportunity to feel an activation of an alert.

4. Claims 6, 16, 18, and 23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Williams et al (U.S. Patent 5475735), Elliot (U.S. Pub. 2002/0164993 A1), and Graham (U.S. Pub. 2003/0060215 A1) in further view of Stoks (U.S. Pub. 2004/0038664 A1).

**Regarding Claims 6, 16, 18, and 23-24**, Williams, Elliot, and Graham teach all the limitations as recited in Claims 1 and 11, however the combination **is silent on** wherein activating the alert comprises displaying a message to a user on a liquid crystal display.

Stoks teaches that a message is displayed on the phone as an alert (Par.115;1-4).

The examiner takes **Official Notice** that it is well known in the art that mobile phones comprise an LCD display to provide a display.

To one of ordinary skill in the art, it would have been obvious to modify Williams, Elliot, and Graham, such that the alert comprises displaying a message to a user on a liquid crystal display, so that the user may see exactly what is wrong in the alert message.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wesley L. Kim whose telephone number is 571-272-7867. The examiner can normally be reached on Monday-Friday 9:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on 571-272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

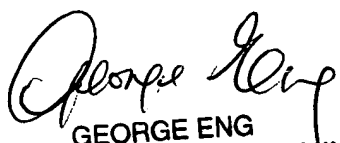
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W. Lee Kim

  
GEORGE ENG  
SUPERVISORY PATENT EXAMINER